

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7751 of 2026

Arising Out of PS. Case No.-69 Year-2020 Thana- RAGHOPUR District- Vaishali

Lalbabu Rai @ Lal Babu Ray @ Lalbabu Son of Sanjeevan Rai Resident of
Village - Sukumarpur, P.S.- Raghobpur (Rustampur- O.P.), District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Raghobpur (Rustampur OP) P.S. Case No. 69 of 2020, instituted for the offences punishable under Sections 30(a)(d) and 41 of the Bihar Prohibition and Excise Act.

3. Earlier, anticipatory bail of the petitioner has been dismissed as withdrawn twice by a co-ordinate Bench of this Court vide orders dated 17.08.2022 and 07.08.2024 passed in Cr. Misc. No. 65120 of 2021 and Cr. Misc. No. 45707 of 2024 respectively.

4. The prosecution case, in short, is that 60 liters liquor was recovered from three motorcycles.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submitted that the petitioner is not the owner of the motorcycles in question. The alleged recovery has been made from an open place and the same is easily accessible to the public at large. The petitioner is in custody since 20.12.2025 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 19.01.2026 passed in Cr. Misc. No. 90294 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Raghopur
(Rustampur OP) P.S. Case No. 69 of 2020.

(Rudra Prakash Mishra, J)

Rajorshi/-

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